

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA '08 MJ 8797

UNITED STATES OF AMERICA

Plaintiff,

v.

Hermelinda DE LEON-Silva

Defendant.

) Magistrate Case No.:

) COMPLAINT FOR VIOLATION OF

) 21 U.S.C. § 952 and 960
) Importation of a Controlled
) Substance (Felony)

The undersigned complainant being duly sworn states:

COUNT ONE

That on or about August 30, 2008, within the Southern District of California, defendant Hermelinda DE LEON-Silva did knowingly and intentionally import approximately 5.60 kilograms (12.32 pounds) of methamphetamine, a Schedule II Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

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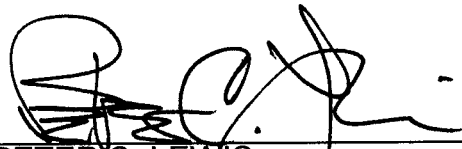
COUNT TWO

That on or about August 30, 2008, within the Southern District of California, defendant Hermelinda DE LEON-Silva did knowingly and intentionally import approximately 5.96 kilograms (13.11 pounds) of cocaine, a Schedule II Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.


Mario Vazquez, Special Agent
Immigration & Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 2ND
DAY OF SEPTEMBER 2008.


PETER C. LEWIS
UNITED STATES MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT

I, Special Agent Mario Vazquez, declare under penalty of perjury, the following is true and correct:

On 08/30/08, Nermelinda DE LEON-Silva entered the United States through the Calexico, California West Port of Entry. DE LEON was the driver and registered owner of a 1997 Dodge Dakota, bearing BA/MX license plate BM87041. US Customs and Border Protection Officer (CBPO) Mendibles discovered 13 packages concealed within the dash of the vehicle. One package was probed by CBPO Mendibles producing a clear crystal matter that field tested positive for methamphetamine. A second package was probed which produced a white powdery substance that field tested positive for cocaine. The 13 packages were removed, 8 packages contained methamphetamine with a total weight of 5.60 kilograms (12.32 Lbs.) The remaining 5 packages contained cocaine with a total weight of 5.96 kilograms (13.112 Lbs.)

DE LEON was arrested in violation of Title 21 United States Code (USC) 952, Importation of a Controlled Substance.

Executed on August 30, 2008 (date) at 8:30 PM (time)


SPECIAL AGENT

On the basis of the facts presented in the probable cause statement consisting of 1 page, I find probable cause to believe that the defendant named in this probable cause statement committed the offense on August 30, 2008, in violation of Title 21, United States Code, Section(s) 952 & 960.


United States Magistrate Judge

8/30/08 - 1120 PM
Date/Time